

REMARKS:

In response to the Office Action mailed on February 20, 2004, Applicant wishes to enter the following remarks for the Examiner's consideration. Applicant has amended claims 1 and 9. Claims 1-18 are pending in the application.

Finality of Rejection

Applicant objects to the finality of February 20, 2004 office action and asks that it be withdrawn. Applicant did not make a substantive amendment to the claims that would have necessitated this and, indeed, Applicant respectfully submits that the examiner has not responded to each of the points put forth in the response filed on December 4, 2003. The finality is therefore seen to be improper and Applicant respectfully submits that it be withdrawn.

Claim Rejections 35 USC 102(e)

Claims 1-4, 6-7, 9-12, 14-15, 17 and 18 are rejected under 35 USC 102 (e) as being anticipated by Bacon, US Patent No. 6,307,528. This rejection is traversed as being improper because the Bacon reference does not contain every element and limitation as contained in and arranged as recited in the claims, for the reasoning made previously and renewed below.

However, as a result of the conversation between the undersigned and Examiner Kim on April 15, 2004, it is believed that clarifying amendments to base claims 1 and 9 will help clarify the terminology of the claim language for the examiner's benefit. It is noted that Applicant is simply defining with more particularity the proper definition of RF enclosure in the claims. Support for these amendments is in the application as filed (see pages 2, 3, 7, etc. of the specification) and indeed the term RF enclosure was in the claims as originally filed. The amendments are not therefore seen to add any new matter or raise new issues that require a new search.

Contrary to examiner's assertion that Bacon has an RF enclosure, the personal computer 20 and device housing (mouse) 76 to which the examiner refers cannot properly be called an RF enclosure! A fair reading of the claims and the specification as filed make it clear that the RF enclosure facilitates testing of devices placed inside it. The examiner is respectfully directed to pages 2, 3, 5, 7, etc. of the current application for discussion of the RF enclosure.

Applicant moreover renews the arguments made last time with respect to the Bacon reference. Particularly in light of the clarifying amendment to claims 1 and (in which no new matter or issue has been raised), it is seen that these arguments overcome the rejection of the claims over the Bacon reference. Contrary to the Examiner's statement that all elements are disclosed in the Bacon reference, many of the elements are not, as discussed below; the rejection is thus unsupported by the art and should be withdrawn. The Examiner is respectfully directed to MPEP §2131 which provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 *Fed. Cir. 1989). The elements must be arranged as required by the claim.

Claim 1

The Examiner states at page 3 of the response that Bacon shows all the elements of claim 1, where:

a flow of serial data corresponds to [46, fig. 1]

an RF enclosure corresponds to [20, fig 1;76, fig 3]

a processor corresponds to [21]

a serial control data bus corresponds to [bus between 46 and 54];

an interface electronics module corresponds to [46]

an electronics module within the RF enclosure corresponds to [76, fig 3].

As a response to the Examiner's assertion of a correspondence existing between elements of claim 1 and elements of the Bacon reference, Applicant would like to note that:

1. Examiner has stated a correspondence between various elements of claim 1 and what is taught by Bacon, but Examiner has not shown where Bacon teaches "A **method** of controlling a flow of serial data across an Radio Frequency (RF) barrier of an RF enclosure". Bacon does not teach a flow of serial data across an RF barrier, a method of controlling such a flow or even an RF barrier of an RF enclosure. Bacon teaches a system for RF shielding of peripheral devices such as a mouse or keyboard that are attached to a computer [col. 2, abstract], but there is no mention of an RF enclosure with an RF barrier, or a flow of serial data across an RF barrier. And, significantly, the Examiner has not noted with particularity where such teaching of an RF barrier, a flow of serial data across an RF barrier or a method of controlling such a flow occurs in the Bacon reference.
2. Examiner has not stated where Bacon teaches the element "receiving the one or more lines of the serial control data bus and selecting one or more signals corresponding to one or more **addresses** of the one or more lines". This aspect of the Applicant's claim 1 is not taught, disclosed, suggested or rendered obvious by Bacon. And, significantly, the Examiner has not noted with particularity where such teaching occurs in the Bacon reference.
3. A reading of Bacon shows that Bacon teaches an input device that can be connected to a computing device having a housing having transducer electronics capable of manipulating an electrical signal indicating movement of a portion of a user [col. 2, abstract]. Thus Bacon does not teach, disclose, suggest or render obvious how to control a flow of serial data across an RF barrier. And, significantly, the Examiner has not noted with particularity where such teaching occurs in the Bacon reference.
4. Examiner states that the RF enclosure of Applicant's claim 1 corresponds to [20, fig 1;76, fig 3] of Bacon. However, a reading of Bacon indicates that 20 is a conventional personal computer [col. 2, line 67], while 76 is a

device housing, such as a mouse, joystick, gamepad or keyboard [col 4, lines 17-20]. A computer is not an RF enclosure, and neither is a mouse, joystick, gamepad or keyboard. Thus Applicant respectfully submits that the RF enclosure of Applicant's claim 1 does not correspond to element 20 or element 76 of Bacon.

5. Examiner states that the bus between 46 and 54 is the serial control data bus, of Applicant's claim 1. A reading of Bacon teaches that 46 is a serial port interface [col. 3, lines 44-46] and 54 is a modem [col 4, 5-7]. As taught by Bacon on col. 4, lines 1-5, personal computer 20 typically includes a modem 54 or other means for establishing communications over wide area network 52, such as the Internet. Examiner has stated that processor [21, col. 3, line 1] sends control data using the serial control bus, but Bacon teaches that the processor [21] is not coupled to the serial control data bus, the modem [54] is. And, as mentioned above, Bacon does not teach, suggest, disclose, or otherwise obviate the use of modem [54] for "sending one or more control data using one or more lines of a serial control data bus". And, significantly, the Examiner has not noted with particularity where such teaching occurs in the Bacon reference.
6. Applicant further notes that even if 46 is taken to be the serial port interface, Bacon does not teach the use of 46 in "sending the selected one or more signals to an electronics module within the RF enclosure", since there is no teaching within Bacon that 46 selects the "one or more signals" of the Applicant's claim 1.

In light of the above arguments, Applicant respectfully notes that there are many differences between the recitations of Applicant's claim 1 and what is taught by Bacon. Applicant respectfully requests reconsideration and allowance of claim 1 and its dependent claims at the Examiners earliest convenience.

Referring to **claim 2**, Examiner states that Bacon shows selecting each signal with a same line value [46]. Examiner references element 46 of Bacon, which is a serial port interface [col. 3, lines 44-46]. However, Examiner has not noted where Bacon

shows “selecting each signal with a same line value” occurs within the Bacon reference. The use of a serial port interface does not necessarily include the ability to select each signal with a same line value. And, significantly, the Examiner has not noted with particularity where such teaching occurs in the Bacon reference. Reconsideration and allowance of claim 2 is therefore respectfully requested at the Examiner’s earliest convenience

Referring to **claim 7**, Examiner states that Bacon shows an RF filtered connector [92, 72, fig 3]. However, a reading of Bacon [col. 4, lines 15-17 and 60-62] teaches that 92 is an isolator and 72 is a connector housing, neither of which is an RF filtered connector. *Moreover, isolator 92 resides inside housing 72.* Reconsideration and allowance of claim 7 is therefore respectfully requested at the Examiner’s earliest convenience.

Claims 2-8 and 17-18 depend from claim 1. Although additional arguments could be made for the patentability of each of these claims, such arguments are believed unnecessary in view of the above discussion of claim 1. The undersigned wishes to make it clear that not making such arguments at this time should not be construed as a concession or admission to any statement in the Office Action.

Referring to **claims 9-12** and **14-15**, Examiner states that Bacon teaches the method steps of claims 1-4 and 6-7 and therefore Bacon also teaches the apparatus to carry out the method steps. Applicant asserts that the response to the rejection of claims 1-8 has overcome the Examiner’s rejection of claims 1-8, and similar arguments may be put forth for claims 9-12 and 14-15. Applicant therefore respectfully submits that the rejection of claims 9-12 and 14-15 has also been overcome.

Applicant further strenuously objects to the Examiner’s line of reasoning, at the top of page 4 of the office action, that Bacon could even teach the apparatus to carry out the Applicant’s invention. Even if Applicant assumes that a prior art reference contains the method steps of claims 1-4, and 6-7, there is no teaching or legal grounds to infer that such prior art reference inherently teaches the apparatus of the

Applicant's claim as suggested by the Examiner. And, significantly, Examiner has not noted with particularity where such teaching of the apparatus of claims 9-12 and 14-15 occurs in Bacon. Reconsideration and allowance of claims 9-12 and 14-15 is therefore respectfully requested at the Examiner's earliest convenience.

Claim Rejections 35 USC §103

Claims 5, 8, 13, and 16 are rejected under 35 USC 103(a) as being unpatentable over Bacon, as applied to claims above. Examiner acknowledges that Bacon fails to teach an SPI bus, and Schmitt trigger input buffers. Examiner states it would have been obvious to one of skill in the art to include the SPI bus for a more flexible system by allowing it to operate in multiple configurations, and Schmitt trigger input buffers for having a more reliable system.

Applicant respectfully submits that these claims depend from claims which also contain patentable subject matter, as discussed above, and thus respectfully declines to make such amendment at this time. However, in the event that the rejection of the underlying base claims is maintained, Applicant herewith reserves the right to amend these claims.

In light of the foregoing amendments and remarks, applicant submits that the 35 U.S.C. 112, second paragraph, rejection of claim 4, the 35 U.S.C. 112(e) rejections of claims 1-4, 6-7, 9-12, 14-15, 17 and 18, and the 35 USC 103(a) rejections of claims 5, 8, 13, and 16 have been overcome. The scope of the amended independent claims is substantially the same. Reconsideration and allowance of claims 1-18 is therefore respectfully requested at the Examiner's earliest convenience. Although additional arguments could be made for the patentability of each of the claims, such arguments are believed unnecessary in view of the above discussion. The undersigned wishes to make it clear that not making such arguments at this time should not be construed as a concession or admission to any statement in the Office Action.

No amendment made herein was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the

purpose of narrowing the scope of any claim unless an argument has been made herein that such amendment has been made to distinguish over a particular reference or combination of references.

Please contact the undersigned if there are any questions regarding this response or application.

Respectfully submitted,



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Dated: April 19, 2004